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ABSTRACT

This guide is intended to help people in the nursing profession, especially deans at schools of nursing, to effectively influence public policy at the federal level. Introductory material identifies key Senate and House committees and stresses the importance of establishing and maintaining a relationship with one's representatives in the Congress. It also examines some of the principles involved in searching for a community of interests with political candidates both before and after the election, as well as the role of the American Association of Colleges of Nurses. A five-stage grassroots action plan is proposed, which includes: (1) community role and coalition building--the need for nursing schools to join in a broad coalition of groups with shared objectives; (2) introduction/re-introduction--the importance of meeting personally with representatives and/or senators; (3) developing a relationship with elected officials, with an emphasis on framing nursing issues in terms of the member's key concerns; (4) maintaining the relationship through frequent substantive contacts; and (5) mutuality--the importance of providing public support for a supportive legislator. Also included are guidelines for lobbying and political action committees. Contact information for Congressional members and an after-action report form are appended. (DB)

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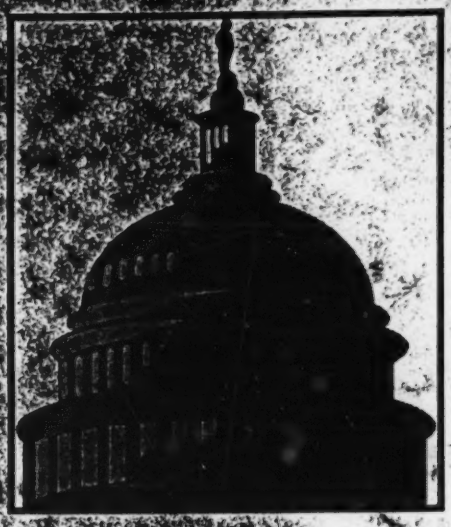

Moving Nursing Education's Public Policy Agenda

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Moving

Nursing Education's

Public Policy Agenda

American Association of Colleges of Nursing

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Second Edition 1998

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Introduction

IN AN ERA OF tight budgets, deficit reduction, and competing important social and educational needs, nursing must increase its role, visibility, and power in the public policy arena in order to advance its education and research agenda. This is especially important when political tensions divert attention from the demand for nurses to fulfill critical roles in the American health care system. A major component of this effort should be raising community awareness of the role of schools of nursing. Possible benefits range from increased federal funding and greater national prominence for nursing to a stronger community role and increased prestige for nursing schools and their graduates. While professional lobbyists in Washington are useful as liaisons between the nursing education, research, and clinical practice communities and policy makers, Congress increasingly is looking to constituents from home states and districts to decide whether programs should survive or be funded. The AACN Governmental Affairs Committee and staff have prepared this handbook to help deans address the need for this increased focus on constituency involvement.

Focus

The key to influencing policy makers is the establishment and maintenance of a relationship with one's representatives in Congress. Regular communication of concise, timely, and relevant information can influence policy directions. This handbook seeks to increase nursing education's grassroots legislative effectiveness by providing some basic tools for deans of schools of nursing to use in communicating with members of the United States Congress who serve on key committees and subcommittees that are responsible for nursing education and research. Committees and subcommittees of particular interest authorize (create) or appropriate (fund) federal nursing education and research programs. In the **Senate,** these include:

- the **Labor and Human Resources Committee** with overall responsibility for higher education programs and science, such as the National Institutes of Health (of which the National Institute of Nursing Research is a part), Medicaid; and the Higher Education Act

(Title IV post secondary grant and loan programs, work study, graduate student assistance, TRIO, etc);

- the **Subcommittee on Public Health and Safety** (of the Labor and Human Resources Committee) which authorizes the Nurse Education Act, Scholarships for Disadvantaged Students, and the National Health Service Corps (scholarships and loan repayment programs) and the Agency for Health Care Policy and Research (health services research);

- the **Appropriations Subcommittee on Labor, HHS, Education and Related Agencies (of Appropriations Committee),** which funds the programs listed above except for entitlement post secondary loan programs (Federal Family Education Loan and Ford Direct Loan Programs); and

- the **Finance Committee,** which decides tax and Medicare (and Medicaid) issues including Medicare support for health professions and nursing education. Graduate Nurse Education is AACN's name for its proposal to use Medicare funds to support clinical education for advanced practice nurses by redirecting moneys going to operate mostly hospital operated diploma nursing schools. There is a **Health Care Subcommittee** responsible for Medicare and Medicaid.

In the **House**, these include

- the **Subcommittee on Health and Environment** (of the Commerce Committee) which authorizes the programs listed in the Senate Subcommittee on Public Health and Safety of Senate Labor and Human Resources;

- the **Postsecondary Education, Training and Lifelong Learning Subcommittee (of Education and the Workforce Committee),** which authorizes the Higher Education Act (Title IV grant and loan programs), federal work-study, TRIO, graduate programs;

- the **Appropriations Subcommittee on Labor, HHS, Education and Related Agencies (of Appropriations Committee),** which funds the programs authorized by Health and Environment; and

- the **Ways and Means Committee** with responsibilities counterpart to the Senate Finance Committee. There is a **Health Subcommittee** responsible for Medicare and Medicaid.

Even though a Subcommittee may hold hearings and develop legislation, its parent committee will decide whether to clear a bill for the floor. From time to time, other committees (such as **Budget**) and subcommittees (such as **Defense Appropriations**) may be critical to advancing nursing education and research. Every member's vote is worth seeking, even if the member is not on a key committee or subcommittee and the only vote he or she might cast for nursing would be on the House or Senate floor. Support of the President is also essential because enactment of a law usually requires a presidential signature, except where Congress can produce a 2/3rds majority in both houses to override a presidential veto.

Obviously, many of these principles also can be applied to state and local legislative issues. Although this handbook focuses on the Congress, contacts with the President or those in executive agencies such as the Department of Education and Department of Health and Human Services also are important.

Background

While nursing has many friends in Congress, only a few members have made it *the* primary item on their "wish" lists. Nursing should be a priority for more members: it is the largest health profession, it is virtually everywhere in patient care and health promotion sectors, and it is critical to the quality of health care. Health care reform is a persistent topic of legislative discussion at the federal and state levels and is revolutionizing the health care marketplace. Nurses are being called upon to shoulder more of the responsibility for services, particularly primary care and case management, and health promotion and disease prevention. Shortages of qualified nurses exist in many places and for certain types of care. Because nurses tend to practice near where they went to school, a nursing school is a resource for that community's or state's people and health care system. In addition, nursing schools are employers in their communities, and their

students, faculty, and staff are potential constituents of members of Congress (those in either body are referred to herein as members). Nurse scientists and research also are important as a major source of improved patient outcomes, cost efficiencies, and quality care techniques.

The medical profession's legislative effectiveness over the years has been created and maintained primarily through persistent one-on-one contacts by physicians with members of Congress and their staffs. **The personal approach, including letters and visits from constituents at the local level, continues to be the most effective way to attract the support of legislators.** Nurses are a large and diverse population, and it is not surprising that senators, representatives, or their staffs often acknowledge a relative or friend who is a nurse or remember a positive experience with nursing professionals. There are over 2.5 million nurses (compared with 600,789 physicians), 1,470 nursing schools (compared with 144 medical colleges), and 221,170 nursing students (compared with 67,276 medical students). The number of nursing school full-time faculty is just 18,853, while in 1995-6 allopathic medical schools had more full time faculty than students (92,297 and 67,276, respectively)![1]

Nurses who are skilled in people-to-people relations through practice with patients can be particularly useful in getting their message to Congress. Many AACN member school deans have excellent relationships with their representatives in Congress. Building successful relationships is an important aspect of the nursing school dean's role as an academic and health policy leader.

This leadership means encouraging an institutional culture at the school supporting an awareness and commitment to nursing's public policy concerns. In addition to a dean's activism is the dean facilitating policy participation by the students and faculty. Legislative and public policy advocacy should involve the dean, faculty, and students.

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[1] Sources: *Eighth Report on the Status of Health Personnel*, DHHS, HRSA (1991)(Based on 1990 data) (physicians include allopathic and osteopathic) and National League for Nursing, *Nursing Data Review 1992*, p 181; *Association of American Medical Colleges Institutional Profile*, Tables C2, AAMC, Washington, DC (1997); *Journal of Medical Education, Applications, Accepted and Enrollments*, Table B-1 AAMC, Washington, DC (1996).

Search for a Community of Interests

Before the Election

Political candidates are potential or continuing members of Congress and should be carefully queried about their views on issues of concern to nursing schools and students. Campaign forums and speeches provide excellent opportunities to find out a candidate's position on these issues, and to share with him or her where you think he or she should stand. Candidates can be interviewed. If the candidate has held previous elective office, his or her views are documented public information. No one seeking elective office would run against nursing, but a candidate may not be aware of the importance of your school and students to the community's health. In many cases, candidates acquire, revise, and fine-tune their positions based on communication with their constituency. Thus, a candidate may be particularly receptive to well-considered and reasonable positions that could increase the support of the general public for the candidacy.

A candidate's public commitment to work toward nursing goals paves the way to a successful long-term relationship if that person wins the election. Your objective should be to obtain some commitments on nursing education concerns from the candidates. While you probably will vote for the candidate that is in agreement with most of your concerns, there is nothing incorrect or inconsistent about having input to all candidates on your issues. Of course, if you are active in a political party—or even if not—you should try to ensure that the party's platform includes support for relevant nursing education, practice and research objectives. If your school offers a health policy course, the students enrolled could plan a strategy for letting the candidate know how they feel about the issues. In fact, an active faculty and student body can be a very important vehicle for moving nursing's legislative agenda. Elected officials are very responsive to student concerns, and are willing to listen to find out what those concerns are. Encouraging your faculty and students to register and vote also can increase nursing's political impact. Some legislators offer short public policy fellowships in their offices that teach volunteers about the political process. For those who have the time and inclination, this can be a useful vehicle for building contacts while increasing knowledge.

Organizations such as AACN also offer government affairs fellowships or internships (AACN's is unpaid) as well.

The decision about contributing to, or volunteering to work in, a campaign is a personal one. On one hand, if you actively support the winning candidate, you could become part of an inner circle of advisers to the member and have access to influence the issues. But if you supported the losing candidate, the winner may be less responsive to your concerns.

Candidate statements, previous votes, and positions should be carefully reviewed for agreement with your policy concerns. If this information does not tell you what you need to know about a candidate's positions, raise your issues at candidate forums about the specific approaches that address your interests. If the candidate has not thought about the issue(s), be ready with your recommendations. A candidate's "wrong" answer means that you should follow up with information to help the person understand the merits of your position and the weaknesses of the "wrong" stance. In major campaigns, the candidate may have a policy department to reassess the campaign's positions on issues and you can seek language for the party platform.

Principles Apply to All People Seeking Elective Office

These principles and those that follow also apply to assessing those seeking nominations or votes to run for elective offices other than the Congress: the presidency, state governorships, and state or local legislative bodies.

After the Election

As soon as it is clear who the victor is, drop the newly elected or re-elected official a congratulatory note. You may already know the member's views from the campaign or from your contacts during the member's previous term in Congress. If not, a key first step is to review the member's committee assignments, legislative sympathies and voting history. The purpose is to discover a community of interests between you and the member that will provide a foundation for building your relationship. Has the member said positive things about nursing in public forums? Did he or she respond favorably to questions during the election campaign about

nursing? A member who has made negative or uninformed comments about nursing will require even more of your attention.

Committee assignments for the member come later but are very important. Is the member on committees that have jurisdiction over the issues in which nursing is interested? Does the member have a leadership role (chairman, ranking minority) on those committees? Because the great majority of detailed work on public policy issues is done in subcommittees and committees, a member on a subcommittee(s) that doesn't handle your issues may not be able to do much for you and may even not seem interested in what you have to say. But that member might be willing to forward your concerns to colleagues who are on a subcommittee that deals with your concerns. Even if the member isn't on a key nursing issues committee now, reassignments at the start of a new Congress (odd number years) are routine, and someday your member may be positioned better to help you. Thus, developing and sustaining a relationship with a member is a long-term effort. Among the questions to ask are: what other relationships or positions does the member have to call upon to help nursing if he or she becomes a major proponent of nursing's objectives? What is the member's past public and voting record on nursing or health care issues? In your Congressional district or state, nursing may be the answer to such major issues as:

- serious health problems in the state or district;
- major groups needing professional nursing services; or
- a significant geriatric population

Other factors indicating member interest may be rural or inner city health issues, that health policy is a personal priority of the member, or that there are a large number of nursing schools in the state or district. There may be other important issues for you, your faculty, and your students. At a later point, the member should be asked directly which health care, education, and research issues are of primary interest. An assessment of each issue will help you decide how to approach the member with a nursing position addressing that issue. Having a large number of nursing schools in the state or district can be a significant influence on a member's policy direction because schools are an important source of nursing professionals and voters. They also are important to the local economy as a place of employment. Where more than one school of nursing is located in the

member's state or Congressional district, a coordinated effort between schools usually is more effective because the time of members and their staffs is limited, and they appreciate dealing with a group of similarly minded people rather than one school at a time.

AACN's Role

AACN reports, newsletters and the Government Affairs section of AACN's Web site provide current information on nursing education and research issues. AACN's Government Affairs department is available to work with you. AACN routinely contacts its members located in states and congressional districts with representatives or senators who are on key committees. If you have not been contacted, it probably means that your school is not in one of those key states or districts. But this does not mean that you should not develop a relationship with your member(s). Committee assignments change as members leave. If your member is sufficiently interested in your issues, but is not yet on a key committee or subcommittee, he or she often can find a way to get "the word" to a colleague who is on a key subcommittee.

Five Stage Grassroots Action Plan

The Five Stage Grassroots Action Plan is a method of developing and maintaining a relationship with your members of Congress.

The stages are:
1. Community Role and Coalition Building
2. Introduction/re-introduction
3. Developing the relationship
4. Maintaining the relationship
5. Mutuality

1. Community Role and Coalition Building

Assessing and Increasing Relevance

Nursing's power in the legislative process often depends on how important it is perceived to be to the overall health and public values of the

community, and whether that community is willing to advocate goals shared with nursing. Relying on the obvious public health and social value of educating nurses alone will not empower the nursing school agenda: there are too few schools, students, or even nurses to mount a successful, broad-based legislative effort. Allies and supporters are critical.

Nursing schools that are major contributors to the quality of life in their home communities have friends in many diverse places who will help support nursing education's legislative goals. They may support these goals not just because they want to help nursing schools, but because of self-interest: they believe nursing education and research will improve their own health and that of their community, i.e., their employees, children, and underserved populations. Some will view nursing schools and students in terms of their contribution to the local economy. While much of academia is centered on a campus, nursing schools can reach out to participate in clinical activities at nearby hospitals, manage nurse-operated centers or clinics, and/or participate in health fairs and school health/athletics programs. These help demonstrate the value of nursing to the community. This activity is extremely important to broaden nursing's constituency. Local governments, public health agencies, hospitals, employers, physicians, businesses, school boards, and professional groups are potential allies to work with nursing schools on nursing objectives. To the extent that a variety of centers of influence in the community perceive the nursing school as an essential component of that community's quality of life, nursing schools will generate support and action by those centers in attaining nursing education and research goals. Nursing's objective of improved health care is a widely shared goal.

Before a meeting with your representative or senator, take a moment to review your school's presence in the community. Some of the activities that can enhance nursing's community presence are participating in:

- health fairs;
- school systems (routine examinations, visiting nurse, athletics physicals);
- business/local government contacts to perform blood pressure, cholesterol screening, health promotion, etc. for employees;
- career days at secondary schools;

- student volunteers for gerontological, disabled, chronic disease or other similar programs (Meals on Wheels, visiting nurses, exercise, etc.);
- substance abuse avoidance, weight loss, wellness programs;
- health promotion campaigns (school, business, civic, fraternal, community);
- immunization programs for pre-school and school-age children;
- collaborative research projects, clinical training, and practice with local and state health care agencies;
- larger role at hospital clinical sites with students and faculty in practice as ambassadors;
- demonstrating flexibility in working with local health care providers and managed care organizations to address their changing needs for nursing professionals;
- serving as a consultant to help managed care entities reduce costs while ensuring quality of care;
- satellite courses and educational programs in the community;
- helping at disaster sites; and
- other ideas that you and your students develop.

Doing all of these things may be impossible, but undertaking some of them will repay your school and students with respect, a greater sense of community, and maybe even dollars. Publicizing your school's activities will raise its visibility in the community and may even transfer a greater sense of power and relevance to your representatives in Congress. To accomplish this, your institution's public affairs office may alert local media. AACN's Public Affairs Department also can help with information and ideas on dealing with the press, radio, and television. For example, AACN has published *Meet the Press and Succeed.*

Building a Coalition

AACN participates in a number of successful and national coalitions. Coalitions leverage your impact by generating mass and gathering people to help with the work. You should be able to convince your various organization contacts to join a coalition to advocate issues that include your own. Be careful to select members who are philosophically compatible. Coalition members should have a role in selecting goals and implementing plans. Today's technology facilitates coalition links. If a

local coalition works well, a broader state or regional one may be even more powerful. Remember that your students may be able to help the coalition effort as well, particularly if they are registered voters in your state or congressional district.

Demonstrating a constituency is an important incentive to encourage a member of Congress to align with this larger network to work toward objectives that are shared with nursing education and research. When you schedule meetings with the member, invite your constituent coalition or network to attend. If you contact the member by letter or telephone, ask others to sign on or participate via a conference call.

A member will be more likely to support you if he or she sees a broad coalition of groups that share your objectives.

2. Introduction/Re-Introduction

Catching Up

If you once met your representative or senator but have not been in touch recently, this is the time to rekindle his or her interest in nursing and your school. Refresh the member's recollection with a visit, call or letter reminding him or her of that meeting. Bring the member up to date on your school's activities and outlook since you last communicated. Topics could include noting the number of your graduates working in the area and showcasing interesting projects and community service underway at the school. Explain how public dollars help to make this possible.

First Meeting

If you have not met your member, there are several ways to do it: a) a scheduled office appointment or "drop-in" when you happen to be in Washington or at "home" in the state or congressional district; b) a telephone call; or c) a letter, or a brief comment after a member's public appearance. Because there are heavy demands on the member's time, it is risky to try anything other than a scheduled appointment, and even those fall through sometimes. The member's Washington office will have a "scheduler" who can set up a meeting. The local office may not have such an individual, but it can advise as to the member's local schedule or when

the key local staff person can see you. You probably will have a better chance of seeing the member "back home" because there are so many distractions in Washington: floor votes, committee hearings and votes, other appointments, etc. Scheduling a local appointment may give you the opportunity to be introduced by someone you know from the community who already has a relationship with the member. By being introduced that way, you may be more easily perceived as part of the member's existing network of constituents. But if there is no obvious liaison, don't be shy about self introductions–politicians are accustomed to them.

Although meeting your member for the first time is an important occasion, it is nothing to fear. Because the member's time is tight, do not be late. Your being at ease will help the member be attentive to your message. "Small talk" centering on the community of interest items you have discovered suggesting possible points of agreement with members, is often best for the initial meeting. Do not start things off with a "Hello, I'm Dean X and this is what I want" conversation. Work up to this gradually. If the member asks about your school and its goals, or specific legislative or policy concerns, be prepared to discuss them briefly and offer to supply more information if needed. You should know what federal programs your school and students benefit from and what the dollar amounts of them are, if possible. What programs are most important? Which ones are less essential? Members or staff may ask for your priorities, and may even ask you the source of funds to pay for these items. It is their job, not yours, however, to decide where the funds come from once they have assessed all of the programs and their value.

Even if you did not request any thing, follow-up with a note of thanks for the meeting and briefly touch upon your concerns. This note should be one page or less. In fact, if possible, every communication you have with a member or staff should be a page or less to increase the chance that someone will read it. Oral communication should be equally concise; and a short outline and a rehearsal of what you are going to say at a meeting helps keep the focus on the key points. If you are in a group, agree beforehand that each member will make a few points. Strive to stay on track, on time, and aim the meeting back on the subject if it diverges into other subjects.

Working with Staff

You may be disappointed if the member can't see you even after promising to do so, and you end up meeting a professional staffer or having to write a letter of introduction. View this as an opportunity to educate the staff person who probably serves as the member's database for public policy issues such as nursing education and research, as well as constituencies. You may develop a working relationship with a staffer that gives you excellent access to the member. In the optimum case, the staff expert becomes an advocate to the member—and the staff of other members and the committee staff—for your concerns. And be sure to send a thank-you note to the staff member you met with, too. They work hard and often do not get kudos.

3. Developing the Relationship

Matching of Interests

Beyond the introduction stage, you and the member or staff person should probe to find several mutual policy interests. The research you have done in the Community of Interests section will facilitate this process. Among other things, your direction may be suggested by:

- answers to the questions asked or issues discussed at your previous meeting;
- the member's committee assignments or current legislative initiatives, and
- your school, student or community health situation.

Is the member concerned about issues such as: the nursing shortage in the community, higher education, community service, employment, student loan/scholarship programs, health funding levels, effectiveness of federal education or health programs, healthcare access, his or her visibility in the community or state, re-election campaigns, the diversity of your student body? Other issues? One, a few, or all may apply.

Content of Communications

To retain the member's interest, your communication should be concise (as noted, not more than a page), clearly stated and responsive to the member's focus and illustrating your concerns and nursing's goals. Try not to raise more than one issue per contact. If true, mention that what you want ultimately will save money or be cost effective (e.g. healthy people need less expensive tertiary care, etc.), because Congress and the Administration are attracted by good value when deciding spending issues. For specific legislation, use the bill's title and Senate or House of Representatives bill number, list reasons for your position, mention the time frame if appropriate, and respectfully ask for the member's support. Complicated issues benefit from brief and clear written material that you can leave with the member or staff member. At a minimum, you should explain the issue, its impact, and how legislation or funding will affect it. If you are asked a question that you cannot answer, promise to provide prompt information. (AACN may have the answer or help you find it.) Be constructive and flexible on policy options, rather than merely being opposed without offering an alternative. Remember that consensus is usually the best approach; do not divide your community or coalition by framing an issue in a way that some are likely to oppose it. If the member did not seem to have any particular focus during your meeting or call, a knowledge or awareness vacuum may exist and major instruction on the importance of nursing education and research is probably indicated.

It is a good practice to jot down your recollection of issues raised or questions asked during your meeting or telephone conversation with a member or a staff person. There is form at the end of this handbook that you can reproduce and use specifically for this purpose. As you receive information from the member or staff, your sharing it with AACN will help to build a record of the member's position on the issue. Not surprisingly, members have been known to tell the people back home one thing but to take a contrary position on Capitol Hill. Sharing data with AACN can help the AACN Government Affairs staff do a better job. Also, let AACN know if you have been invited to serve on policy-oriented task forces or other bodies within the executive or legislative branch of government as well.

Sharing Views and Making Staff Contacts

Part of developing, as well as maintaining, the relationship is sharing your views on health care and nursng issues that arise from time to time. Members rely on people "back home" to get a sense of how a particular issue is being perceived. It is appropriate for you to help shape this perception. During this sharing phase, you may hear from the same staff person time and again. This professional will be the member's resource on you, nursing, your school, and students and should be carefully cultivated. There is nothing improper about this: information about issues affecting, and policy views of, constituents is vital to the effective operation of a democratic government and its legislative process. Some staff people have tremendous power and can shape a member's positions on issues; a good relationship with key staff can be very beneficial to a cause. Being an accurate, reliable, and readily available resource will stand you in good stead and will help to give you a role in the policy process. You will know that you have established a good relationship when the member initiates contact and asks you what you think of a proposed policy suggestion or initiative. If you get such a question, let AACN know what has been requested. Or, if the member shares a draft bill with you, send AACN a copy. AACN may have information to help you with an answer and may be able to discuss the proposal's pluses and minuses with you. Always thank the member or staff person for meeting with you; it gives you another opportunity to touch upon the points made during your visit and can provide promised additional information. It can also be used to give the member a forewarning on your next major issue.

4. Maintaining the Relationship

Keeping in Touch

Maintaining the relationship is simply keeping in touch. Sometimes, with the never-ending demands on a dean's time, it can be challenging to do this. But to preserve the valuable contacts, this effort is essential, even if you send just a brief note now and then.

Contacts with Substance

In periodic visits, calls, letters and e-mail, you can share with the members or staff your concerns about pending legislation, current information about your school enrollments and student demographics, graduations and where graduates work, new programs, and how federal funds have helped the school and the students. Looking more generally at large issues might lead you to discuss the state of nursing education, nursing or faculty shortages, local health care developments, how various federal programs could work better for your school or students, and the like. Your legislative goals should be shared with the member at appropriate times (early in the year for appropriations; as needed for other legislative initiatives), keeping in mind the member's committee role, policy focus, and the legislative calendar. For example, do not mention funding needs in September, because budget and appropriations matters are usually in the final stages of resolution by then. On the other hand mentioning funding in January, February or March is on target.

Similarly, if you would like to see changes in a particular program, contact the member who is on the authorizing subcommittee or committee only in the year that program is due for reauthorization, typically a 3-year cycle. Not every communication must stress nursing's or your goals, but everything should contribute to the member's understanding of your school's activities and policy concerns. How often should you contact the member or staff person? About four or five times per year is a suggested minimum, more often if an issue is moving or a critical problem in need of a federal solution appears. Try not to become a pen pal who writes often and at length about a multitude of topics; your ideas will be minimized and you will receive mostly computer-generated form responses. A personalized approach is best, but even if you only have time to make a call, copy a form letter or send a postcard, doing something is better than doing nothing. Most offices on Capitol Hill keep track of positions in all the communications they receive on a subject, whether it is a call, FAX, e-mail, postcard, or detailed personal letter.

Invite the member to visit your school on campus during recess or district work period times, and provide a tour and meetings with some students at all levels and key faculty. You may want to rehearse everyone's contribution and role. Alert the member to any program, course or student

that was federally funded. Explain how federal support makes a difference to community public health. Be as specific as possible.

Advance planning for meetings is best, but you could drop in at the member's office when you are in Washington. You may meet that key staff person or committee professional staff who handles your issues. If you send Christmas or holiday cards, send the member one. If you appreciate a particular vote or a policy position on policy questions he or she took, a written or spoken thank you is in order.

Handling a Member's "Wrong" Vote

If your member does not vote for a nursing objective (in most cases, it is not true opposition, merely the member's selection of something else as a priority), use that constructively to encourage him or her to reconsider. You should explain the specific reasons for taking another view and express hope that the member would adopt that position next time. By not ignoring the member's negative position you let him or her know that you are watching and that the issue remains important to you. Do not close doors on a prospective ally by demonstrating anger. A member may vote the way you want on one issue and then vote the way someone else wants on another; this is merely a case of trying to do a little bit of what everyone wants to retain support. Thus, the member needs to know what your high priority issues are so that he or she can give them prominence when they arise in a policy discussion or a vote. These days, member decisions are difficult because many worthy issues are competing with each other for attention and funding. The ones that will win are those that are soundly presented and broadly and strongly supported back in the state or congressional district.

5. Mutuality

Mutuality is simply acknowledging that while you have policy objectives, the member has a need for recognition in the community, appreciation for support of nursing positions, visibility, favorable impressions that may produce votes in future elections, etc. This is particularly important if the member has been helpful to nursing's agenda. A "thank you" call or letter to the member for support of legislation or policy sought by nursing certainly is in order, and there are other ways to express your gratitude. A

one-sided relationship in which you are always telling the member what you want does not have mutuality and is not as strong as one that has it.

Showcase the Member

Inviting the member to be a commencement speaker would give him or her visibility and possibly even some media attention. In election years, August, September, or October are critical times for candidates to get exposure, and campus visits may be a way you can provide some public attention. Mentioning to others in the profession and community that the member took a position favorable to nursing and publicizing that he or she is a friend of nursing also would be appropriate. Your local paper might be willing to publish a news story about the visit. This would be enhanced by a picture of the member at your school chatting with you, your students and faculty. Write op-ed pieces or letters to the editor for your local paper on the member's good works. Or the member may need your opinion on, or backing of, some legislative proposal. Whether you should contribute to or volunteer to work on the re-election campaign of a member who is a friend of nursing is a personal decision.

Lobbying and Political Action Committees

Federal laws governing lobbying are complex and depend on the type and scope of activities involved. The area was recently made more complicated with the enactment of the Lobbying Disclosure Act of 1995 ("LDA").

Tax Laws

Institutions that are exempt from federal tax under Internal Revenue Code Section 501 (c)(3) (e.g., most colleges and universities) may engage in lobbying only to the extent that lobbying activities are not a "substantial part" of their total activities. There is no mechanical formula for measuring what is substantial in this context. However, many experts in this area advise organizations to keep their annual outlays for lobbying to a level below 10 to 15 percent of their total budget. To avoid the ambiguity of the "substantial part" test, many organizations, including AACN, have decided to have their lobbying activities come under the "expenditure" test provided for under 501 (h) of the Internal Revenue

Code. Under this test, an organization's lobbying expenditures are subject to precise percentages of total expenditures. The test permits an organization to expend, for lobbying, 20 percent of its first $500,000, 15 percent of the next $500,000, 10 percent of the next $500,000 and 5 percent of the remaining expenditures. However, *grassroots lobbying* may not exceed 25% of the total allowable lobbying (e.g., 5 percent of the first $500,000). The percentages are averaged over the most recent four years.

Lobbying, under the tax laws, means influencing legislation and includes federal, state or local legislation. Influencing legislation includes "direct lobbying," such as contact with legislators or their staff of committee staff, and "grassroots lobbying," which takes place when an organization communicates, for the purposes of influencing legislation, with the general public or a segment of the public and urges individuals to contact their legislators with respect to specific legislation. Lobbying does not include non-partisan research, providing technical assistance to a governmental body or responding to a legislative committee upon receiving a written request. If the organization has opted for the expenditure test, also excluded are communications which might affect the existence of the organization or its tax-exempt status (the self-defense exception). Contacts with executive branch agencies are not considered lobbying under the tax laws.

The Lobbying Disclosure Act of 1995

The LDA requires organizations that lobby the U.S. Congress or the federal executive branch to register with Congress and to file semi-annual reports. The LDA only applies to federal activity, not state and local. Registration is required of organizations that employ in-house lobbyists if 1) the organization has at least one employee who makes at least two "lobbying contacts" on behalf of the organization *and* who devotes 20% or more of his or her time to "lobbying activities" in a six-month period beginning on January 1 or July 1; and 2) the organization incurs or expects to incur expenditures for "lobbying activities" (both by its own personnel and amounts paid to outside or "professional" lobbyists) of more than $20,000 during the six-month period beginning on January 1 or July 1. Organizations that do not meet this test are not covered by the LDA.

Organizations that have made the IRC Section 501 (h) "expenditure test" election may satisfy the reporting requirement of the LDA by filing a copy

of Schedule A to their annual tax return (usually Form 990). Thus, they are relieved of some of the burdens and reporting requirements of the LDA. In addition, those organizations may use the tax law definition of "influencing legislation" rather that the LDA's definition of lobbying in reporting expenditures.

Lobbying under the LDA includes all contact by lobbyists with members of Congress, their staffs and employees of congressional committees. Unlike the tax law definition, it also includes contacts with certain members of the executive branch (the President, vice-president, and agency staff at the assistant secretary level or higher, and Schedule C employees (political appointees). Subjects of lobbying contacts include legislation, regulations, polices, program administration, contracts, grants, loans, licenses or permits, and nominations subject to Senate confirmation. However, the LDA does not include grassroots lobbying, speeches, newspaper pieces, requests for information or meetings, testimony given before a committee, or information provided in response to a request.

Because a school of nursing is often one part of the larger total education institution picture, assessing an institution's responsibility under the LDA can raise complex and novel issues. A school should consult with the institution's central administrative function for guidance on lobbying. Some schools have a centralized institutional lobbying function that controls all contacts with federal and state government entities. There may be tax status consequences for having an excessive proportion of a not-for-profit's budget go to lobbying activity.

Most academic institutions eligible for the Section 501(h) election will find that it is advantageous to elect.

Federal regulations prohibit the use of federal grant moneys (such as awarded under the Nurse Education Act or by the National Institute of Nursing Research or other federal agencies) for lobbying purposes. In addition, the use of school funds to support political candidates is unlawful on the federal level and also may be illegal at the state level. You can contribute your personal funds to a candidate's or member's campaign. You can contribute to a Political Action Committee (PAC). You may want to start a PAC to transmit aggregated personal funds from a number of people to candidates and members meeting your PAC's objectives.

AACN does not have a PAC, but the American Nurses Association, state nursing associations and other groups do.

To obtain your senators' and representatives' committee memberships, positions (if any) on nursing education and research, *Government Affairs Bulletins* on current AACN issues, legislative issue summaries, fact sheets, or information on other aspects of this program, please contact AACN Government Affairs. AACN's website on the Internet also has government affairs issue summaries, links to Congress (for committee memberships, etc), Library of Congress legislative information, links to federal agencies, and other information at http://www.aacn.nche.edu.

This handbook does not constitute legal advice, and each institution should consult appropriate counsel for guidance as to the effect of these laws on its particular situation.

Contacting the United States Congress

House

The Honorable XXX
US House of Representatives
Washington, DC 20510
Telephone: 202/225-3121 (Switchboard connects to all House offices)

House Internet home page: http:// www.house.gov
Internet site provides the individual Representative's address, telephone and sometimes FAX and e-mail numbers. The site also includes committee rosters and legislative information.

Senate

The Honorable YYY
US Senate
Washington, DC 20515
Telephone: 202/224-3121 (Switchboard connects to all Senate offices)

Senate Internet home page: http://www.senate.gov
Internet site provides the Senator's address, telephone, and sometimes FAX and e-mail numbers. The site also includes committee rosters and legislative information.

Miscellaneous

Library of Congress: http://www.thomas.loc.gov/home/thomas2.html

House and Senate legislative information, bill texts, floor votes, bill status, public laws, (has word search capability), *Congressional Record*, committee reports, links to Federal entities (executive branch).

AACN internet home page: http://www.aacn.nche.edu. (AACN Government Affairs section includes current legislative information and links to relevant government and private sector home pages.)

AMERICAN ASSOCIATION OF COLLEGES OF NURSING

Governmental Affairs After Action Report

1. Name of Member of Congress (or staff person of member_____):

2. Who initiated contact? Member_____staff_____you_____

3. Date and place of contact:_____

4. Others present:_____

5. Type of contact: visit__ telephone call___ letter__ FAX___ E-mail_____

6. Issue or subject of contact (include bill number if you know it):_____

7. Materials you left:_____

8. Was member/ staff position or response favorable/unfavorable to your position?

9. Would you say this position is solid or can it be changed?

10. How will you follow-up? Can AACN help with information?

11. Should AACN Governmental Affairs contact member or staff person?

American Association of Colleges of Nursing

Governmental Affairs Office
One Dupont Circle, NW, Suite 530
Washington, DC 20036
(202) 463-6930, ext. 24
FAX: (202) 785-8320
http://www.aacn.nche.edu